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5 *Attorneys for Plaintiffs*

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7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**

9 EDWARD S. HALLEY, individually; and
FLAGSHIP EXPRESS AIRLINES, Inc., an
10 Illinois Corporation,

11 Plaintiffs,

12 v.

13 WILLIAM ACOR, individually; RBY, INC.; a
Nevada corporation; VISION AIRLINES, INC.; a
14 Nevada corporation; and VISION AVIATION
HOLDINGS, INC., a Nevada Corporation,

15 Defendants.
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Case No.: 2:17-CV-00507

JOINT STATUS REPORT

ORDER

17 Plaintiffs EDWARD S. HALLEY and FLAGSHIP EXPRESS AIRLINES, INC
18 (“Plaintiffs”), through its attorney of record, John P. Aldrich, Esq. of the Aldrich Law Firm, Ltd.,
19 and Defendants WILLIAM ACOR, RBY, INC., VISION AIRLINES, INC., and VISION
20 AVIATION HOLDINGS, INC. (“Defendants”), by and through their attorneys of record, Timothy
21 P. Elson, Esq., (collectively the “Parties”), by and through their respective undersigned counsel,
22 pursuant to Local Rule 26-3 and the Court’s Order of November 5, 2019, hereby submit this Joint
23 Status Report to the Court.

24 The Parties previously provided multiple Joint Status Reports; the last one was
25 submitted on February 3, 2020. The Court then filed an Order for Status Report ordering the
26 Parties to file a joint status report no later than March 16, 2020.

27 For context, Plaintiffs reiterate their prior reports and include that language here:
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1 Back on August 31, 2018, the Parties filed a Status Report (Dkt# 53) that explained
2 that this matter was proceeding through the litigation process before an Involuntary
3 Bankruptcy matter was filed in the United States District Court, District of Nevada, Petition
4 # 18-12139-abl. Following the filing of the bankruptcy matter, this case was stayed. (Dkt#
5 49.)

6 Since that time, this matter has remained stayed. Plaintiff has attempted to obtain
7 additional information through a FOIA request, but has not been successful. The
8 information in the immediate prior Status Report (Dkt# 69) has not changed. Thus, the issue
9 of ownership of the FAA 135 Certificate is still undetermined. Plaintiffs continue to believe
10 ownership of the FAA 135 Certificate, and whether it can be sold, can be determined in the
11 near future but cannot be sure because Plaintiffs thought they would know this information
12 long ago.

13 **Updated information:** In the Status Report filed by the Parties on February 3, 2020,
14 the Parties noted that Defendants had requested proof from Plaintiffs of their efforts to
15 pursue the FOIA request. Plaintiffs' counsel was advised by Plaintiffs that such information
16 would be provided to counsel by March 2, 2020, so that Plaintiffs' counsel could provide
17 such information to Defendants' counsel. Plaintiffs' counsel received such information on
18 Monday, March 16, 2020. Mr. Halley's explanation is attached hereto as **Exhibit 1**.
19 Plaintiffs' counsel has provided that information to Defendants' counsel, albeit not long
20 before this Status Report was due. In short, Mr. Halley expected to receive the documents,
21 or at least further communication, from the FAA and/or DOT long before now, but now is
22 skeptical whether he will ever receive this information. Unfortunately, he does not have
23 more specific information than that at this time.

24 Counsel for the parties have consulted and discussed the best way to proceed in this
25 matter. As the Court is aware, right now there are many outside factors affecting the world
26 and Las Vegas specifically. If it pleases the Court, in light of those events, and with the
27 expectation that those events will slow any substantive response to the FOIA request, the
28 parties request that the status quo remain for another ninety (90) days, at which time the

1 parties will meet and confer and then provide an updated Status Report to the Court. This
2 will allow the parties to evaluate the procedural posture of this case and the outstanding
3 FOIA request.

4 DATED: March 18, 2020.

DATED: March 18, 2020.

5 **ALDRICH LAW FIRM, LTD.**

**THE LAW OFFICES OF TIMOTHY
ELSON**

6 /s/ John P. Aldrich
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11 *Attorneys for Plaintiffs*

Attorneys for Defendants

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16 **IT IS SO ORDERED.**


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19 _____
20 UNITED STATES DISTRICT JUDGE
21 Dated: March 18, 2020.
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EXHIBIT 1

EXHIBIT 1

Traci Bixenmann

From: EDWARD HALLEY <flagshipexpressairlines@gmail.com>
Sent: Monday, March 16, 2020 11:13 AM
To: John Aldrich
Subject: Response

John,

I did not write down the person's name every time I spoke to the Las Vegas FSDO. I believe on or about May 4, 2018 after the bankruptcy was filed against Vision I spoke with a gentlemen at the Las Vegas FSDO and we discussed when the Vision Airlines 135 Operating Certificate was surrendered and by whom. After that conversation the person I spoke with said he would have to speak with his supervisor and put me on hold. He later came back and said I would have to file a FOIA request to receive that information. I submitted my FOIA request asking for information I had discussed with the gentleman I spoke with. I was instructed that it should take several weeks to acquire the information after the FOIA request was approved. Over a period of months I called the Las Vegas FSDO numerous times and never spoke to the same person twice. During that time period I believe that employees come and go and that is why every time I called I had to repeat the same story and was told they had no record of my FOIA request being granted and thus could not release any information until it was approved. I submitted my FOIA request by typing up a letter and submitted it to the Las Vegas FSDO. I do not have a copy of the letter because it was lost when I had a computer hard drive crash. All of the documents from Vision Airlines bankruptcy and all correspondence concerning my case against Bill Acor and Vision were lost in that hard drive crash. I don't believe we will never receive the information because the Vision Bankruptcy has been closed and Vision Airlines 135 Operating certificate is no longer viable.

You have my authorization to share this email with any person or entity concerning my case against Bill Acor and Vision Airlines.

best regards,

Ed Halley